

82 Re PCT/PTO 11 SEP 1997

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 053466/0201



In re patent application of:

Padamitsu KISHIMOTO *et al.*

Serial No.: 08/817,507

Group Art Unit:

Filed: April 17, 1997

Examiner:

For: PHARMACEUTICAL COMPOSITION FOR TREATMENT OF  
DISEASES CAUSED BY IL-6 PRODUCTION

**INFORMATION DISCLOSURE STATEMENT**  
UNDER 37 C.F.R. § 1.56

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith on a modified Form PTO-1449 is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. § 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 C.F.R. § 1.97-1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

### TIMING OF THE DISCLOSURE

The present Information Disclosure Statement is being filed before the mailing date of the first Official Action on the merits, and therefore no fee under 37 C.F.R. § 1.17(p) is required.

### CONCISE EXPLANATION OF RELEVANCE OF EACH DOCUMENT

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicants enclose herewith a copy of a corresponding foreign Search Report citing such documents, together with an English-language version of that portion of the Search Report indicating the degree of relevance found by the foreign office. However, the absence of such translation does not relieve the PTO from its duty to consider the submitted document (37 C.F.R. § 1.98 and M.P.E.P. § 609).

Applicants respectfully request that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialled copy of Form PTO-1449 be returned in accordance with M.P.E.P. § 609.

Respectfully submitted,

Date: September 11, 1997

*for* James D. Hulbert Reg. No. 34,485  
Harold C. Wegner  
Registration No. 25,258

FOLEY & LARDNER  
Suite 500  
3000 K Street, N.W.  
Washington, D.C. 20007-5109  
Tel: (202) 672-5300

The Commissioner is hereby authorized to  
charge any deficiency or credit any over-  
payment to Deposit Account No. 19-0741